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3 **UNITED STATES DISTRICT COURT**
4 **SOUTHERN DISTRICT OF CALIFORNIA**
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6 RODNEY L. BELLE,

7 Plaintiff,

8 vs.

9 CHASE HOME FINANCE, LLC, et al.,

10 Defendants.

CASE NO. 06CV2454 WQH (LSP)

ORDER DISMISSING CASE WITH
PREJUDICE FOR FAILURE TO FILE
A SECOND AMENDED
COMPLAINT

11 HAYES, Judge:

12 On November 7, 2006, Plaintiff Rodney L. Belle filed the Complaint in this matter against
13 Defendants Chase Home Finance, LLC, Loanstar Mortgage Services, LLC, Marriot Vacation Club
14 International, and Novastar Mortgage, Inc. (Doc. # 1). On October 31, 2007, the Court granted
15 without prejudice motions to dismiss filed by the Defendants and allowed Plaintiff thirty days to file
16 and serve a Second Amended Complaint. (Doc. # 44). In the Order of October 31, 2007, the Court
17 stated that “[i]f Plaintiff fails to file a Second Amended Complaint within the time allowed, or fails
18 to cure the deficiencies of his previous Complaints, the Court will terminate this case with prejudice.”
19 (Doc. # 44 at 8).

20 To date, Plaintiff has neither filed a Second Amended Complaint nor sought additional time
21 to do so. Accordingly, and pursuant to this Court’s Order of October 31, 2007, the Court hereby
22 DISMISSES this case with prejudice. The Clerk of the Court shall close this case and enter judgment
23 in favor of Defendants.

24 **IT IS SO ORDERED.**

25 DATED: January 3, 2008

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27 **WILLIAM Q. HAYES**
28 United States District Judge